FOR MYSORE STATE

REVENUE (195 3) Department.

MS. SERIES.

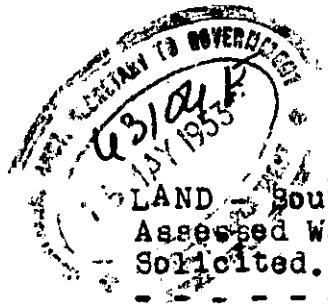
G.O. No. 2535
1535

Dated the 2nd September 1953.
2-9-1953

passed
9
Supdt
MM

[Despatch Abstract.]

LAND - South Kanara - Coondapur taluk - Byndoor village - S.No.309 - Assessed waste relinquished land - Disposal - Order passed.



REVENUE DEPARTMENT
Subject.
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LAND - South Kanara - Coondapur taluk - Baindoor village - S.No.309 Assessed Waste relinquished land - disposal - instructions - Solicited.

- -

Ref: B.3537/53-1

Station: Madras. Dated: 14-5-53.

Sri W.R.S.Sattianathan, I.C.S.,
Commr. of Land Revenue.
*****

Sri C.S.Krishna Moorthi, I.A.S.,
Secretary, Board of Revenue(L.R).
***

Read the following:--

From the Collector, South Kanara, Ref.986/53-B5 d/1-4-53.

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REFERENCE:

Submitted to the Government.

2. The Collector's proposal to sell the land on collection of market value, now fixed by him, to be collected in instalments does not involve any loss to Government. The only difference is that if the lands are sold in auction, the Government will realise the amount in lump sum and by assigning the lands to poor people, the amount will have to be collected over a long period necessitating additional work to the revenue subordinates. But considering the lasting benefit that would be conferred on the poor people of the locality, who will be otherwise exploited by the rich people who take the lands in auction, as stated by the Collector, the proposal of the Collector deserves approval. The Board recommends approval of the Collector's proposal.

FOR SECRETARY.

To the Secy. to Govt., Revenue Department. (with enclr

Ref.986-53-B5.

S.Kanara Collector's office,
Mangalore dated 1.4.53.

From

SRI C.A.RAMAKRISHNAN,I.C.S.
Collector of South Kanara.

To

The Secretary to the Boar of Revenue,
Land Revenue,
Chepauk Madras 5
(in duplicate)

Sir,

LAND: South Kanara--Coondapur taluk--Baindoor village--S.No. 309--A.W relinquished land--disposal--instructions solicited.

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Ref: 1.G.O.Press No.82 (Rev) dated 9.1.53.
2.G.O.No.1957 (Dev) dated 7.7.52.

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In G.O.Ms.No.1957 (Rev) dated 7-7-1952, the Government accorded sanction to conduct the resale of S.No. 309 of Byndoor village & Coondapur Taluk. The resale of the land was conducted by the Revenue Divisional Officer, Coondapur by public auction on 26-12-1952 and the sale was knocked down by the highest bidder for Rs. 3325/- When the proposals for confirmation were submitted to me, I considered it advisable to inspect the lands before passing order, as a large extent of wet lands was involved, and the price fetched appeared rather ~~low~~ low (about Rs. 160/- per acre)

2. I inspected the plot on 22-3-1953. It is situated in the interior malnad area, and to reach it, I had to walk about 3 miles ~~either~~ way, through thick forest, besides ~~going~~ about 6 miles eitherway by Jeep in North Kanara District. Reserve Forest area. S.No.309, measuring AC 20.95, stands reserved as Wet II (A.W). It consists of a number of paddy plots which are in good condition, without any jungle growth on it. The lands can be brought under cultivation straightway without any investment beyond what is required for ploughing, maturing etc., for any land under ~~cultivation~~ cultivation. I think that it is not good policy to confirm the sale of the land, in this case, and to hand over the plot to the auction purchaser who is not likely to engage himself in direct cultivation. In the neighbouring hamlet of Golibare, of Baindoor village, some poor tenants who are reported to be both ~~landlords~~ landless and poor engage in direct cultivation. 5 of them are ready to take up the land, some of whom were present at the time of my inspection. I think, the proper course, in this case, would be to assign this land to those persons at the rate of about 4 acres each, on collection of market value and dispense with the sale in auction. In G.O. Press 82 (Rev) dated 9-1-1953, the Government empowered the Collectors to ~~sell~~ sell plots, other than those in the proximity of town, by private sale on collection of site value. In this case the plot S.No.309 of Baindoor is situated far away from Coondapur town. The price fetched in the auction sale conducted by the Revenue Divisional Officer, Coondapur was at the rate of Rs.160/- per acre. This may be taken as the market value. Thus if each of the five persons is given 4 acres of land the land value comes to Rs. 650/- per head. Considering the interior nature of the locality incidence of malaria, the nearness to thick forest, the liability to depredation by wild animals etc., the lands, though wet, do not have a higher market value. Well to do persons like ~~to~~ the present auction purchasers are not likely to take up direct cultivation of these interior malnad lands, but will only lease out the ~~bed~~ lands to the landless poor persons in the area like these 5 persons and exploit them. I would, in view of the special circumstances of this case suggest that the ~~Collector~~ collection of site value may be waived. If however the Government cannot see their way to waive the collection of land value, I would suggest that the land value may be recovered in 20 annual instalments treating the land value of Rs.650/- as a loan and charging an interest of 5% as in the case of Takkavi loans. The annual instalment ~~towards~~ principal and interest thereby works out to about Rs 60/-

3

per person, and this can be easily raid by the assignees from the paddy crop raised on the lands. In case of default of payment of any instalment the due date, the land may be resumed to Government.

Yours faithfully,

For Collector.

kvr/3-4-1953

4

Rev Dept

[Cro H-310H F/53] Read:

PP 7-8 of (A)

PP 1-2 of (T)

PP 2-3 of

P 1 of

1. ej.o. ms. No 1957 Rev dated 7-7-52
2. ej.o. No 82 Rev dated 9-1-53.
3. From the Collr of South Kanara letter Ref. 986/53-B5 dated 1-4-53
4. From the Bd of Rev Ref B-3537/53-I dated 14-5-53.
5. ej.o. ms. No 2535 dated 2-9-53

Pl. issue RS 29/8

MD 2/9

In the circumstances reported, the govt accept the recommendation of the Bd of Rev in its reference read above and in relaxation of the orders in

PP 7-8 of (A) (para 2 of) ej.o. ms. No 1957 Rev dated 7-7-52, direct that S. No 309 of Byndoor village, Coondapur taluk, South Kanara district, be assigned to the five landless and poor persons referred to by the Collr of South Kanara who are likely to engage themselves in direct cultivation thereof at the rate of 4 acres each on collection of the land value of Rs 6.50/- from each assignee, recoverable in 20 annual instalments

'K' at p 2 of

'X' at p 2 of

2. The land value shall be treated as a loan and an interest of 5% shall be charged as in the case of Takkavi loans. In case of default of payment of any instalment on the due date the land shall be resumed without paying any compensation or refund of the purchase money.

Ibid

P 3 of

or of land revenue, whether it is liable to be

3. The assignment of the land shall be subject to the usual conditions and any other special conditions which the Collr of South Kanara may consider necessary to impose.

MJ 4/9

MJ 19/5/53

To

The Board of Revenue (CL.R.)

The Collr of South Kanara 20/5/53

Sec-3.

RKU 5/6/53

[P.T.O. for not

5

Re:-

Please see the letter of the Collr of South Kanara and the remarks of the Bd of Rev thereon in the C.F. The Collr's proposal at X on pp 2-3 C.F. which is recommended by the Board, may be accepted

2. Subject to orders, the draft order submitted overleaf is for approval.

3. Finance may see before circulation

mp 19/5/53 19/5/53

NV

Through Y 21.5.53

1) The Collrs proposal to assign the land to landless poor persons, on collection of market value, is in accordance with Govt. Govt. Prm 82 Rev. d. 9.1.53. and may be accepted

2) As regards the question of collecting the market value in instalments, it is true that this will mean extra work to the Rev. subordinates, but it will be a great help to the poor cultivators. If this procedure is accepted in this case, there is no reason why it should not be accepted in other cases also. Actually, there is already a provision in the Rules for collecting market value in instalments from Harijans

D.S Finn.

3) The Collector suggests that the land will be resumed if the assignee defaults in the payment. But in that case are we bound to pay back the amounts already paid by him? What is the policy adopted in regard to assignments to Harijans - refund to others? Office will pl. examine all these aspects and put up a note.

VRK 21/5/53

6

To R.S. –

. . . . . Please see the remarks of R.S. at p2 ante.

2. Item (2) at p2 ante.

P51/B.S.O Vol I

. . . . . under B.S.G 15(38), valuable lands which are reserved for assignment to depressed classes, are assigned to them on payment of the estimated market value. The value may be collected in easy instalments and the payment of the first instalment may be postponed for a few years after the date of assignment, if necessary, to give the assignees an opportunity of establishing themselves. Full title should only be given when full payment has been made. Free grants of valuable land should not be made except under the orders of the Govt. The above provisions are applicable only to the valuable lands reserved for assignment to the depressed classes.

XCon/14968/F/53 Rdt to M(L.R) dte on 16/3

. . . . . In another file relating to the Visakhapatnam district, it has been suggested that even in the case of lands which are not reserved for assignment to the depressed classes but which are eventually proposed to be assigned to them, the land value may be collected in easy annual instalments. That file is in circulation. Under the present policy, land is assigned only to landless and poor persons likely to engage themselves in direct cultivation whether they be Harijans or ex-servicemen, landless

2

and poor persons are in no way on a better footing than Harijans. Hence it appears that the concession of payment of market value in easy instalments may be extended to other landless and poor persons. also :- on another file. (Cem. 1418-H F/53), D.M has minuted that valuable lands should be assigned to landless poor persons, free of market value. Final decision in that file may be awaited.

D. Think this and be done KK.

* ordered to lie over till orders are issued in the central decision file.

A

3. <u>Item (3) on p2 ante</u>

According to B.S.O. 15(38), if there is default in the payment of the agent Revenue on the date prescribed, the grant will be liable to be resumed by the agent who will be entitled to reenter and take possession of the land without payment of compensation or refund of the purchase money. This provision is applicable only to valuable lands reserved for assignment to depressed classes. In the present case, it appears that it would be better to insert the words "without payment of any compensation or refund of the purchase money" at the end of para 2 of the draft order. subject to orders, para 2 of the draft order has been accordingly amplified. The draft order amplified is for approval.

P 5/1 | B.S.O. vol I

B

Not merely default in the payment of Rents. Primarily default in the payment of Land Value etc KK.

If A above is appd, this may well become unnecessary KK

4. After the draft order at p <u>ante</u> is issued, extracts of the notes above will be taken and a separate file opened to further consider the question raised by R.S

8 5

with reference to the orders that may be passed in cms 1 H 8 2 H F/53 and cms H 2 8 10 F/53

5. Finance may see before circulation

ref 27/5/53

Note on valuable land file

Retain these two files

OR

For orders whether we may grant are entitled to take possession of the land without payment of compensation. The amendment put in suggested by the office in the draft does not convey the meaning at all. Pl. see B on pre page. Is my presumption correct? If it is, all that may be necessary would be to ask the Bd. to see that payment by instalments is allowed in the case of all landless and poor persons on the same terms and conditions and with the same safeguards as in the case of Harijans (in respect of reserved land). Meanwhile, if Govt. wish, we should take action urgently in the case file referred to at A on pre page

U.S
Fin

KK
28/5/53.

To U.S.

Please see the remarks of U.S. above.

2. The draft order has been suitably revised.

xp 1 ante

3. ~~xxxxxxxxx~~ The presumption of Under Secy. at B on p.4-ante is correct. In the case of valuable land reserved for assignment to Harijans, a condition is inserted in the patta to the effect that in the event of default in payment of any instalment, the amount already paid is liable to be forfeited to Govt. and the land, liable to be resumed.

Note (2) to condition 11 of Appendix V at pp 178-179 of B.S.O. Vol I

Correction Slip

4. The file referred to at A on p.4 ante is

6. 7

G3104 F/53

linked.— Pending orders on that file, this file may be sent to Finance for acceptance of the draft order.

& Top file
— CRO 14824 F/53
dislinked
(Being subd separately)

mp 4/6/53 4/6/53

The land grant may be made liable for resumption everywhere — there is default in payment of land revenue, water cess etc. The draft on p.1 ante is for approval

KK 4/6/53

D.S
Fin

~~FRevU.O. 4310 HF/53-1~~
10-6-1953

(Pri Offices)

The notes from p. 1 above may be perused
In the circumstances the draft order on p. 1 above may be accepted.

7/6/7. KK 17/7/53.

DS 17/8/53

Fin 18/8/53

Fin. Rev. 49081/Accts-I/53
18.8.53

Rev Dept

SECRETARIAT ASST. SECRETARY TO GOVT.
20 AUG 1953
REVENUE DEPARTMENT

7049 20/8

F1 8
20/8

For D.S.

The notes from p. 2 ante may be read and file may be circulated to M(L.R.) for approval of the draft order at p. 1 ante

mp 21/8/53 D 21/8/53

KKunhunny Nair 25/8/53

Macha 25-8-53

(Order paper does not appear necessary)

SECRETARY TO GOVERNMENT
28 AUG 1953
REVENUE DEPARTMENT

A.D.M. 28.8.53

A(L.R.)

D.S
M(L.R.)

DEPUTY SECRETARY TO GOVERNMENT
28 AUG 1953

Abstract.

Land - South Kanara - Coondapur taluk - Byndoor village - S.No.309 - Assessed waste relinquished land - Disposal - Orders passed.

Revenue Department.

G.O.Ms.No.2535. Dated the 2nd September 1953.

Read the following:-

G.O.Ms.No.1957, Revenue, dated 7-7-52.
G.O.Ms.No.82, Revenue, dated 9-1-1953.
From the ~~Board~~ Collector of South Kanara letter Ref.986/53-B5 dated 1-4-1953.
From the Board of Revenue Ref.B.3537/53-2 dated 14-5-1953.

O R D E R.

In the circumstances reported, the Government accept the recommendation of the Board of Revenue in its reference read above and in relaxation of the orders in para 2 of G.O.Ms. No.1957, Revenue, dated 7-7-52, direct that S.No.309 of Byndoor village, Coondapur taluk, South Kanara district, be assigned to the five landless and poor persons referred to by the Collector of South Kanara who are likely to engage themselves in direct cultivation thereof, at the rate of 4 acres each on collection of the land value of Rs.650/- from each assignee, recoverable in 20 annual instalments.

2. The land value shall be treated as a loan and an interest of 5 % shall be charged as in the case of Takkavi loans. In case of default of payment of any instalment or of land revenue, water cess etc. on the due date the ~~a~~ land shall be liable to be resumed without payment of compensation or refund of the purchase money.

3. The assignment of the land shall be subject to the usual condition and any other special conditions which the Collector of South Kanara may consider necessary to impose.

(By Order of the Governor)

T.J.Jacques,
Deputy Secretary to Government.

To
The Board of Revenue (L.R.)
The Collector of South Kanara.

True Copy / Forwarded / By Order.

Superintendent.

MNS.-2/9.